

Senate File 2199 - Introduced

SENATE FILE 2199

BY PETERSEN

A BILL FOR

1 An Act modifying the periods of time to bring criminal actions
2 for sexual abuse offenses against a minor, providing
3 penalties, and including effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 802.2, subsection 1, Code 2018, is
2 amended to read as follows:

3 1. An information or indictment for sexual abuse in the
4 first, second, or third degree committed on or with a person
5 who is under the age of eighteen years ~~shall be found within~~
6 ~~ten years after the person upon whom the offense is committed~~
7 ~~attains eighteen years of age, or if the person against whom~~
8 ~~the information or indictment is sought is identified through~~
9 ~~the use of a DNA profile, an information or indictment shall~~
10 ~~be found within three years from the date the person is~~
11 ~~identified by the person's DNA profile, whichever is later~~ may
12 be commenced at any time after the commission of the offense.

13 Sec. 2. Section 802.10, subsection 3, Code 2018, is amended
14 to read as follows:

15 3. However, notwithstanding subsection 2, an indictment
16 or information shall be found against a person within three
17 years from the date the person is identified by the person's
18 DNA profile. If the action involves sexual abuse of a person
19 eighteen years of age or older, another sexual offense,
20 kidnapping, or human trafficking, the indictment or information
21 shall be found as provided in section 802.2, subsection 2,
22 802.2B, 802.2C, or 802.2D, if the person is identified by the
23 person's DNA profile.

24 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
25 immediate importance, takes effect upon enactment.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with
28 the explanation's substance by the members of the general assembly.

29 This bill modifies the periods of time to bring criminal
30 actions for sexual abuse offenses against a minor.

31 The amendment to Code section 802.2 in the bill provides
32 that a criminal information or indictment for sexual abuse
33 in the first, second, or third degree committed on or with a
34 person under the age of 18 may be commenced at any time after
35 the commission of the offense. Current law specifies the

1 indictment or information for such sexual abuse offenses be
2 found within 10 years of the sexually abused person attaining
3 18 years of age or within three years after being identified by
4 DNA evidence, whichever is later.
5 The bill takes effect upon enactment.